

By: Deshotel

H.B. No. 2177

A BILL TO BE ENTITLED

1 AN ACT

2 relating to state coordination of transportation services for
3 certain clients of health and human services agencies.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Section 455.0015, Transportation Code, is
6 amended by amending Subsection (c) and adding Subsection (e) to
7 read as follows:

8 (c) The [~~Texas Department of Health and the~~] Health and
9 Human Services Commission shall contract with the department for
10 the department to deliver [~~assume all responsibilities of the Texas~~
11 ~~Department of Health and the Health and Human Services Commission~~
12 ~~relating to the provision of~~] transportation services to [~~for~~]
13 clients of eligible programs. The department may not assume
14 responsibility for client case review, case management, or
15 coordination or authorization of benefits. Department employees
16 and contractors shall refer all inquiries concerning social service
17 program benefit coverage, program benefit authorization, or
18 program benefit coordination directly to the Health and Human
19 Services Commission or the Texas Workforce Commission, as
20 appropriate, for resolution. The department shall hold at least
21 one public hearing to solicit the views of the public concerning the
22 transition of transportation services to the department under this
23 subsection and shall meet with and consider the views of interested
24 persons, including persons representing transportation clients.

1 (e) A client of an eligible program administered by the
2 Health and Human Services Commission or the Texas Workforce
3 Commission must seek reimbursement or advance funding under that
4 program directly from the Health and Human Services Commission or
5 the Texas Workforce Commission, as appropriate, for costs related
6 to the provision of transportation services other than public
7 transportation services.

8 SECTION 2. Section 461.002, Transportation Code, is amended
9 to read as follows:

10 Sec. 461.002. DEFINITIONS. In this chapter:

11 (1) "Public transportation provider" means any entity
12 that provides public transportation services if it is a
13 governmental entity or if it receives funds [~~financial assistance~~]
14 from a governmental entity, whether state, local, or federal. The
15 term does not include private carriers that do not receive funds
16 [~~financial assistance~~] from a governmental entity. It also does
17 not include a person who provides intercity rail or bus service,
18 commercial air transportation, water transportation, or nonstop
19 service to or from a point located outside this state, unless, and
20 to the extent to which, the person receives funds from a
21 governmental entity for that service. If a person provides both
22 public transportation services and services that are not public
23 transportation services, that person is included within the term
24 only with regard to the provision of public transportation services
25 and to the extent of those public transportation services.

26 (2) "Public transportation services" means any
27 conveyance of passengers and their hand-carried baggage by a

1 governmental entity or by a private entity if the private entity
2 receives funds [~~financial assistance~~] for that conveyance from any
3 governmental entity. It does not include intercity rail or bus
4 service, commercial air transportation, water transportation, or
5 nonstop service to or from a point located outside this state,
6 unless, and to the extent to which, the person receives funds from a
7 governmental entity for that service.

8 SECTION 3. Section 461.003(a), Transportation Code, is
9 amended to read as follows:

10 (a) The commission by rule may:

11 (1) subject to Section 455.0015, require a state
12 agency that is responsible for ensuring the provision of public
13 transportation services to contract with the department for the
14 department to assume the responsibilities of that agency relating
15 to the provision of public transportation services; and

16 (2) require a public transportation provider to
17 provide detailed information on its provision of public
18 transportation services, including revenues, routes, maps,
19 categories of passengers served, number of passengers served, and
20 equipment use and condition.

21 SECTION 4. This Act takes effect immediately if it receives
22 a vote of two-thirds of all the members elected to each house, as
23 provided by Section 39, Article III, Texas Constitution. If this
24 Act does not receive the vote necessary for immediate effect, this
25 Act takes effect September 1, 2007.